

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Quay *et al.*

Confirmation No.: 4791

U.S. Patent No.: 7,229,636 B1

Group Art Unit: 1624

Application No.: 10/787,385

Issued: June 12, 2007

Examiner: Ward, Paul V.

Filed: February 26, 2004

For: CYANOCOBALAMIN LOW  
VISCOSITY AQUEOUS  
FORMULATIONS FOR INTRANASAL  
DELIVERY

Attorney Docket No.: 12399-001-999

**PETITION FOR REVIVAL OF POTENTIALLY  
ABANDONED PATENT APPLICATION UNDER 37 C.F.R. § 1.137(b)**

**Mail Stop Petitions**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

1. I, the undersigned, am an attorney with Jones Day. Since March 25, 2008, I have prosecuted the above-identified U.S. Application No. 10/787,385 (the "'385 application"), which issued as U.S. Patent No. 7,229,636 B1 on June 12, 2007.

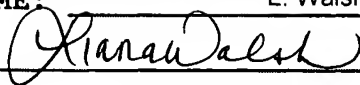
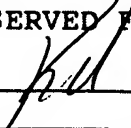
2. The '385 application was filed on February 26, 2004 by Paul G. Lunn of Nastech Pharmaceutical Company Inc. A Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i) was made at the time the '385 application was filed.

3. On June 23, 2006, PCT International Application No. PCT/US2006/024685 (the "'685 international application") was filed by Jeffrey J. King of Black, Lowe & Graham PLLC. The '685 international application was published on December 27, 2007 under International Publication No. WO 2007/149098 A1.

4. On March 25, 2008, the undersigned submitted papers to the U.S. Patent Office revoking the prior Powers of Attorney and appointing me and my colleagues as attorneys at Jones Day to prosecute the '385 application.   
 03/26/2009 INTERP 00006843 503013 10787385  
 01 FC:2453 810.00 CR

5. The '685 international application does not claim priority to the '385 application and has a different disclosure than that of the '385 application. In other words, the '685 international application is not a foreign counterpart of the '385 application. Although there is some overlapping subject matter, there is no question that claims secured

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
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